



14230 U.S. PTO

February 27, 2004

Mail Stop Patent Application
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

22387 U.S. PTO
10/789558



Re: Applicant(s): Donohoe, Brendan M.; et. al.
 Assignee: Cardica, Inc.
 Title: Integrated Anastomosis Tool with Graft Vessel Attachment Device and
 Cutting Device
 Customer No.: 33109

Dear Sir:

This is a request for filing a **divisional** application under 37 CFR 1.53(b) of pending U.S Patent Application serial no. **10/001,962**, filed on December 5, 2001 by the following named inventors:

- (a) Donohoe, Brendan M.;
- (b) Vargas, Jaime;
- (c) Yencho, Stephen A.;
- (d) Nielsen, James T;
- (e) Bender, Theodore M.;
- (f) Hendricksen, Michael; and
- (g) Anderson, Scott C.

Small entity status is hereby claimed.

Enclosed is a copy of the prior U.S. Patent Application serial no. 10/001,962 as originally filed on December 5, 2001, including copies of the specification and drawings. The enclosed patent application includes a new set of claims and a first page that has been revised to claim priority to the parent application, in accordance with 1251 Off. Gaz. Pat. Office 54 (October 9, 2001). A copy of the executed oath or declaration as filed in U.S. Patent Application Serial No. 10/001,962 is also enclosed.

Assignment to Cardica, Inc. of U.S. Patent Application Serial No. 10/001,962 is recorded at reel 012688, frame 0931.

The power of attorney in the prior application is to Brian A. Schar, Reg. No. 45,076, and Mark Meltzer, Reg. No. 28,739. Please address all communications to:

Brian A. Schar
Chief Patent Counsel
Cardica, Inc.
900 Saginaw Drive
Redwood City, California 94063

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter;
- (2) Return postcard;
- (3) Information Disclosure Statement and Form PTO-1449;
- (4) Copy of U.S. Patent Application Serial No. 10/001,962 as filed, including originally-filed declaration, with revised first page and a new set of claims; and
- (5) Check no. 09297 in the amount of \$471.00.

The fee has been calculated as shown below:

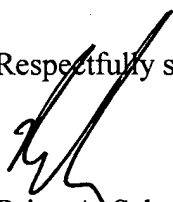
CLAIMS

| | Claims Remaining <u>After Amendment</u> | | Highest No. <u>Paid For</u> | | Present <u>Extra</u> | | <u>Rate</u> | | <u>Fee</u> |
|-------------------------------------|--|-------|--------------------------------|---|-------------------------|---|-------------|----|------------|
| Basic Application Fee | | | | | | | | | 385.00 |
| Total Claims | 20 | Minus | 20 | = | 0 | x | \$9 | \$ | 0.00 |
| Independent Claims | 5 | Minus | 3 | = | 2 | x | \$43 | \$ | 86.00 |
| <input type="checkbox"/> | Fee of _____ for the first filing of one or more multiple dependent claims per application | | | | | | | \$ | |
| <input type="checkbox"/> | Fee for Request for Extension of Time | | | | | | | \$ | 0.00 |
| <input checked="" type="checkbox"/> | Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested. | | | | | | | | |
| <input type="checkbox"/> | Please charge our Deposit Account No. 502108 in the amount of | | | | | | | \$ | |
| <input checked="" type="checkbox"/> | Please charge any additional fees required and credit any overpayment to our Deposit Account No. 502108. | | | | | | | | |
| Total: | | | | | | | | \$ | 471.00 |

Allowance of the pending claims is respectfully requested.

**Express Mail Label No.
EV304036088US**

Respectfully submitted,


 Brian A. Schar
 Attorney for Applicant(s)
 Reg. No. 45,076
 (650) 331-7162